

1999, which precedes the September 23, 2002 filing date of Rodriguez. Rodriguez is consequently not available under 35 U.S.C. 102 as a reference in the prosecution of the present patent application.

Failure of the combination of Levy and Rodriguez to show all of the limitations of Applicants' claim 1

When Applicant's attorney called Examiner on 6/6/07 to discuss the validity of Rodriguez as a reference, Examiner indicated that what Rodriguez added to the disclosure of Levy was merely the disclosure of a "streaming data item server". In order to guide Examiner's search and speed up prosecution of this application, Applicant's attorney would like to remind Examiner that as pointed out at page 5, lines 14-20 of Applicant's response filed 12/8/2006, there were *two* fundamental distinctions between Levy and the invention of claim 1:

Because Levy's system does not establish a direct connection from any of its information sources to user interface 101 and does not disclose an information source that provides streaming data, it cannot and does not disclose claim 1's step of

providing the first identifier and a second identifier *to the streaming data item server*, the second identifier identifying the client and the first identifier and *the second identifier being usable by the streaming data item server to establish the connection.*

As far as Applicant's attorney can determine from a quick perusal of Rodriguez, the search engine of Rodriguez, like Levy's uniform query interface, does not provide a "second identifier to the streaming data item server" which identifies the client and which "the streaming data item server [can use to] establish the connection [via a network for a streaming data item between a client for the streaming data item and a streaming data item server for the streaming data item]. Consequently, even if Rodriguez were a valid reference, the combination of Rodriguez with Levy would not show all of the limitations of Applicant's claim 1.

Conclusion

Applicant has traversed the rejection by demonstrating that Rodriguez is not available as reference under 35 U.S.C. 102 and has thereby been completely responsive to Examiner's Office action of 5/32/2007. Applicant has thus satisfied the requirements of 37 C.F.R. 1.111(b) and respectfully requests that Examiner continue with his examination as provided by 37 C.F.R. 111(a). No additional fees are believed to be required for this response; should any be, please charge them to deposit account number 501315.

Respectfully submitted,

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